

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
5:09-CR-216-FL

UNITED STATES OF AMERICA )  
 )  
 v. )  
 )  
 DANIEL BOYD, et al., )  
 )  
 Defendants. )

**ORDER**

This case comes before the court *sua sponte* in response to the parties' representations at the 12 March 2010 discovery conference that their preparation for this case may require the taking of depositions in a foreign country. The court refers the parties to the following internet resources<sup>1</sup> at the United States Department of State website, which provide detailed information, organized by country, regarding how to arrange for such depositions.

U.S. Department of State, International Judicial Assistance (main page):

[http://www.travel.state.gov/law/info/judicial/judicial\\_702.html](http://www.travel.state.gov/law/info/judicial/judicial_702.html)

Obtaining Evidence Abroad:

[http://www.travel.state.gov/law/info/judicial/judicial\\_2514.html#](http://www.travel.state.gov/law/info/judicial/judicial_2514.html#)

Index of Country Specific Information:

[http://www.travel.state.gov/law/info/judicial/judicial\\_2510.html](http://www.travel.state.gov/law/info/judicial/judicial_2510.html)

In light of the court's general understanding that arranging for depositions in a foreign country often requires a significant amount of time and advance planning, the court admonishes the parties to diligently pursue making arrangements for any foreign depositions, including, but not limited to acquiring any necessary passports or temporary/work visas, arranging for translators,

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<sup>1</sup> Printed copies of each of these web pages are attached hereto.

identifying space to conduct the depositions, and obtaining any necessary court orders, subpoenas, or letters rogatory. The court also reminds Panel counsel that approval for foreign travel requires prior authorization by the court.

The parties shall update the court at the 16 April 2010 pretrial conference on their progress in identifying any foreign depositions they believe necessary and their planning for them.

SO ORDERED, this the 19th day of March 2010.



James E. Gates  
United States Magistrate Judge

**International Judicial Assistance, Notarial Services and Authentication of Documents**

At the Department of State, we are aware that Americans traveling or living abroad may require judicial assistance. We've put together information that we hope will be of use to you, should you want to check a process or procedure – or wish to find an attorney. The laws and procedures governing service of process and obtaining evidence vary widely from country to country and if we receive information from foreign governments concerning these topics, we include that information in the country specific judicial assistance information pages at the link below. If such information is not available from an official source in a foreign government, we advise private litigants and their attorneys to contact local attorneys in the foreign country for counsel on how to serve process or obtain evidence. The Department of State is not in a position to give permission or approve of attempts by private litigants and their attorneys in the United States to serve process on persons overseas or to obtain evidence in other countries and has no authority to govern such conduct. Failure to abide by foreign law or procedure can result in challenges to service of process or evidence in U.S. judicial proceedings. Persons seeking to serve process or take evidence in a foreign country in a manner that is not consistent with local law or procedure may also be subject to any civil or criminal penalties that the local law provides for.

***DISCLAIMER: THE INFORMATION IN THIS SITE RELATING TO THE LEGAL REQUIREMENTS OF SPECIFIC FOREIGN COUNTRIES IS PROVIDED FOR GENERAL INFORMATION ONLY AND MAY NOT BE TOTALLY ACCURATE IN A PARTICULAR CASE. QUESTIONS INVOLVING INTERPRETATION OF SPECIFIC FOREIGN LAWS SHOULD BE ADDRESSED TO FOREIGN COUNSEL.***

*This is an official U.S. Government source. Inclusion of non-U.S. Government links does not imply endorsement of contents.*

[Country-Specific Information](#)

[Criminal Matters](#)

[Enforcement of Judgments](#)

[Family Law and Child Protection Issues](#)

[Foreign Attorney Information \(Including List of Attorneys\)](#)

[Notarial and Authentication Services](#)

[Obtaining Evidence Abroad](#)

[Other Useful Links](#)

[Property, Tourist, Trade and Commercial Complaints, Foreign Claims](#)

[Service of Process Abroad](#)

[Travel Abroad for Judicial Assistance Purposes](#)

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## Exhibit A

**JUDICIAL ASSISTANCE**

**OBTAINING EVIDENCE ABROAD**

[U.S. Department of State Circular: Preparation of Letters Rogatory](#)

*Treaties on Obtaining Evidence Abroad*

*Hague Convention on Obtaining Evidence Abroad in Civil and Commercial Matters*

[Hague Evidence Convention Text](#)

[Hague Evidence Convention Explanatory Report](#)

[Hague Evidence Convention Bibliography](#)

[Hague Evidence Convention Country Status Report](#)

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## **Exhibit B**

**JUDICIAL ASSISTANCE****COUNTRY SPECIFIC INFORMATION****A|B|C|D|E|F|G|H|I|J|K|L|M|N|O|P|Q|R|S|T|U|V|W|X|Y|Z**

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[Australia](#)  
[Belgium](#)  
[Bosnia and Herzegovina](#)  
[Brazil](#)  
[Canada](#)  
[Cape Verde](#)  
[China](#)  
[Croatia](#)  
[Cyprus](#)  
[Czech Republic](#)  
[Denmark](#)  
[El Salvador](#)  
[Fiji](#)  
[Finland](#)  
[France](#)  
[Germany](#)  
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**Exhibit C**